

1 IN THE UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF GEORGIA  
3 ATLANTA DIVISION  
4 JUAN PEREZ,  
5 Plaintiff,  
6 vs. CIVIL ACTION FILE  
7 NO. 1:16-cv-00902-SCJ  
8 COBB COUNTY and THOMAS  
9 BASTIS, in his individual  
10 and official capacities,  
11 Defendants.  
12  
13  
14  
15 \*CONFIDENTIAL\*  
16 VIDEOTAPED DEPOSITION OF  
17 JUAN ENRIQUE PEREZ ASTUDILLO  
18  
19  
20 January 30, 2018  
21 10:06 a.m.  
22  
23 2719 Buford Highway, NE  
24 Atlanta, Georgia 30324  
25  
Stephanie J. Heisey, CCR, B-1222

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25  
Also Present:  
Thomas Bastis  
Jenna Edmunds, Videographer

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1 Deposition of Juan Enrique Perez Astudillo  
2 January 30, 2018  
3 (Videotape recorder was turned on.)  
4 THE VIDEOGRAPHER: We are on the record.  
5 Today's date is January 30th, 2018 and the time  
6 is approximately 10:06 a.m. This will be the  
7 videotaped deposition of Juan Perez. Will the  
8 attorneys present please state their name and  
9 whom they represent.  
10 MR. WEAVER: George Weaver for Defendant Tom  
11 Bastis.  
12 MR. KILGORE: Maddox Kilgore for the  
13 Plaintiff.  
14 MR. TENNILLE: Dre Tennille for the  
15 Plaintiff.  
16 THE VIDEOGRAPHER: Will the court reporter  
17 please swear in the witness.  
18 JUAN ENRIQUE PEREZ ASTUDILLO,  
19 being produced and first duly sworn as a witness,  
20 testified as follows:  
21 MR. WEAVER: Mr. Perez, you need to put that  
22 mic on. Over. Microphone out.  
23 THE WITNESS: I don't know how to change --  
24 MR. WEAVER: Can you help him.  
25 THE VIDEOGRAPHER: Yeah.

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1 Q Do you know whether Detective Bastis, seated  
2 here, interviewed Dr. Asia Gifford from the Medlin  
3 Treatment Center?  
4 A No.  
5 Q So you don't know what Dr. Gifford would  
6 have told Mr. Bastis; correct?  
7 A No.  
8 Q You don't know; is that correct?  
9 A No.  
10 Q That's correct?  
11 A Yes.  
12 Q Do you know whether in January of 2014 after  
13 Dr. Gifford had seen -- provided therapy to Giselle  
14 for some 16 months or 17 months that -- do you know  
15 whether Dr. Gifford told Detective Bastis that she  
16 believed that Giselle had been abused or molested. Do  
17 you know whether that happened?  
18 A No.  
19 Q Do you know whether Giselle, your daughter,  
20 told Dr. Gifford at Medlin Treatment Center that she  
21 would wrestle with your -- with you on the bed when  
22 both of you were nude?  
23 A No.  
24 Q Do you know whether Giselle told Dr. Gifford  
25 that when that happened she could feel your penis?

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1 A No.  
2 Q Okay. You don't know what she told her?  
3 A No.  
4 Q Did that happen?  
5 A No.  
6 Q Did you wrestle naked with your daughter --  
7 A No.  
8 Q -- on the bed when she was four?  
9 A No.  
10 Q Or five?  
11 A No. No, I left.  
12 Q Okay. When she was four?  
13 A I have not had contact with Giselle after  
14 2012.  
15 Q Well when she was four you were still having  
16 contact.  
17 A I don't have.  
18 Q Well she turned four in February 2012.  
19 A Yes.  
20 Q You continued to see her until July 2012.  
21 A Yes.  
22 Q So during that period did you ever wrestle  
23 naked with you daughter --  
24 A No.  
25 Q -- on the bed? Did you let her feel your

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1 penis?  
2 A No.  
3 Q But you don't know what Giselle told  
4 Dr. Gifford; correct?  
5 A No.  
6 Q Is that correct?  
7 A (Witness nods head.)  
8 Q Is that --  
9 A I don't.  
10 Q What I said is correct. You don't know what  
11 she said to Dr. Gifford?  
12 A I don't know what she said.  
13 Q Okay. Do you think that sometimes you were  
14 too familiar with your daughter in terms of touching  
15 her when she was four years old?  
16 A The only thing can I know I take care for my  
17 daughter like any other father take care of their own  
18 child.  
19 Q Okay. So here's my question. When you look  
20 back at this when your daughter was four years old and  
21 she would visit with you after the divorce, do you  
22 think that maybe you were too casual or familiar in  
23 touching her?  
24 A I'm touching her like a normal father.  
25 Q So your answer is you don't think you were

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1 too casual --  
2 A No.  
3 Q -- or familiar?  
4 A No.  
5 Q All right. I take it you would agree that  
6 it would not have been appropriate for a father to  
7 show himself nude in front of his  
8 four-or-five-year-old daughter. Would you agree with  
9 that?  
10 A I agree.  
11 Q You agree?  
12 A No.  
13 Q You think it's okay?  
14 A You changed the question.  
15 Q Let me ask it again.  
16 A Okay.  
17 Q If a father has a daughter who's four or  
18 five years old, would you agree that that father  
19 should not show himself naked in front of that child?  
20 A Should not be shown naked.  
21 Q Should not?  
22 A Should not.  
23 MR. WEAVER: Okay. Well we can take a  
24 lunch break. Then I think I can finish up pretty  
25 quickly after lunch.

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1 Q Do you recall being told by Detective  
2 Largent that Giselle had an irritation in her genital  
3 area?  
4 A Yes.  
5 Q Did you ever see that or a rash or anything?  
6 A No, no.  
7 Q Now when you would -- when Giselle would  
8 sleep in the bed with you, did she have clothes on?  
9 A Yes.  
10 Q Did you have clothes on?  
11 A Yeah. Yes.  
12 Q And while you were sleeping in the bed with  
13 her, was she touching your body or you touching her  
14 body?  
15 A No.  
16 Q Okay. Do you recall telling Detective  
17 Largent that when she would sleep she had to have one  
18 hand or leg touching my body. Do you remember telling  
19 her that?  
20 A Yeah. She touched my head.  
21 Q Your head?  
22 A Yeah.  
23 Q What about the rest your body?  
24 A No, just the head.  
25 MR. KILGORE: George, I'm going to ask if

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1 you would do us a favor, please, and refer to a  
2 specific interview with Detective Largent. We  
3 requested the recordings of the initial interview  
4 between Largent and Mr. Perez and we have been  
5 denied -- denied those recordings.  
6 MR. WEAVER: I've given -- we've given you  
7 all the recordings we have. The one I'm  
8 referring to is June 29th, 2012 which you've been  
9 furnished I believe.  
10 MR. KILGORE: Okay.  
11 MR. WEAVER: That's the only one I have.  
12 BY MR. WEAVER:  
13 Q Is it your understanding, Mr. Perez, that at  
14 some point after the allegations were made by Amanda  
15 and Aida Perez about the bathing activity that there  
16 was another allegation that was made that Giselle said  
17 you had touched your mouth to her bottom when she was  
18 naked. Do you recall hearing that that was an  
19 allegation?  
20 A It's not true. It's not.  
21 Q But did you hear that that allegation was  
22 stated?  
23 A Yes.  
24 Q Okay. And you said that's not true?  
25 A Yeah.

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1 Q Is that yes?  
2 A Yes.  
3 Q On the statements you gave -- now you never  
4 made a statement to Detective Bastis; right? You  
5 asked for a lawyer when he tried to interview;  
6 correct?  
7 A Yes.  
8 Q Okay. Who was your lawyer at that time?  
9 A I don't have a lawyer.  
10 Q But you asked for a lawyer?  
11 A Yes.  
12 Q Then who was your criminal defense attorney?  
13 A The state provided me one.  
14 Q Okay. Did Mr. Kilgore end up defending you?  
15 A Who defended me is Carlos Rodriguez.  
16 Q Carlos Rodriguez who's with his office I  
17 believe. Do you know whether your daughter, Giselle  
18 Perez, began around August or September of 2012 to see  
19 a psychologist at the Medlin, M-E-D-L-I-N, Treatment  
20 Center?  
21 A I have no idea.  
22 Q Have you ever heard of a psychologist there  
23 named Asia Gifford, G-I-F-F-O-R-D?  
24 A I not sure who's -- who have called me when  
25 I'm in Chile to -- somebody have -- somebody -- a

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1 doctor there to come to have my psychology -- I don't  
2 know how you explain how you say.  
3 Q A psychologist?  
4 A Yes.  
5 Q So a psychologist was going to interview  
6 you?  
7 A Yes.  
8 Q And that never happened?  
9 A I cannot remember it's this person or not.  
10 Q Okay. Do you know the name Larae,  
11 L-A-R-A-E, Williams? Another counselor at Medlin  
12 Treatment Center.  
13 A No.  
14 Q Do you know whether after Giselle started  
15 seeing a psychologist at the Medlin Treatment Center,  
16 this would be in 2012, that she reported that she was  
17 having nightmares?  
18 A I have no idea.  
19 Q Okay. Do you know whether Giselle told Asia  
20 Gifford, a psychologist at the Medlin Treatment  
21 Center, that you had put your face in her bottom when  
22 she was naked?  
23 A I don't have no idea about this.  
24 Q Okay. Do you know whether in March of 2013  
25 after you had gone back to Chile that Aida Perez,

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1 Giselle's grandmother, reported that Giselle's  
 2 teacher -- this is a report to the Medlin Treatment  
 3 Center -- reported that Giselle had been acting out  
 4 sexually at school for two months at that time?  
 5 A I have no idea.  
 6 Q Do you know whether the grandmother reported  
 7 to the Medlin Treatment Center, Dr. Gifford, that  
 8 Giselle's teacher said that she had been cuddling up  
 9 to another boy, hugging boys during play time, putting  
 10 her head in a boy's lap. Do you know whether  
 11 Giselle's teacher reported that to Aida and Amanda  
 12 Perez?  
 13 A I have no idea.  
 14 Q Do you know whether the grandmother Asia --  
 15 I'm sorry -- Ada -- or Aida Perez reported in June of  
 16 2013 that -- and this is when the child was five years  
 17 old -- that the child said or asked if the grandmother  
 18 had hair on her belly. And then said that her father  
 19 which she called Pappy has hair on his belly. Do you  
 20 know if that happened?  
 21 A No.  
 22 Q And then do you know whether the grandmother  
 23 reported to Dr. Gifford at Medlin Treatment Center  
 24 that she knew that you had hair on your belly because  
 25 you showed it to her. And then Giselle pointed to her

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1 belly and below her belly as being the place where you  
 2 had hair. Do you know if that happened?  
 3 A No.  
 4 Q Do you know whether Giselle reported to the  
 5 Medlin Treatment Center, Dr. Gifford and the other  
 6 therapists there that -- and this was in June of  
 7 2013 -- that previously when she had been with you  
 8 that you had allowed Giselle to watch you urinate?  
 9 A No. Never heard that.  
 10 Q And that when you urinated she saw the hair  
 11 on your -- in your pee pee area and on your belly. Do  
 12 you know whether Giselle said that?  
 13 A No.  
 14 Q Did that happen?  
 15 A No, of course not.  
 16 Q But you don't know what Giselle said?  
 17 A No.  
 18 Q All right. Do you know whether -- also in  
 19 June of 2013 Giselle asked her grandmother, Aida  
 20 Perez, to put her nose in Giselle's vaginal or genital  
 21 area. Do you know whether she did?  
 22 A No idea.  
 23 Q No idea?  
 24 A No.  
 25 Q Okay. And then Giselle said that she was

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1 thinking about when her father, that's you, did this  
 2 to her and Giselle said she enjoyed it and wanted the  
 3 grandmother to do it. Do you know whether that  
 4 happened?  
 5 A No.  
 6 Q Did you ever do that?  
 7 A No.  
 8 Q Even in a playful way did you ever put your  
 9 face in her genital area or her rear end?  
 10 A No.  
 11 Q Okay. But you don't know what Giselle said  
 12 to other people; correct?  
 13 A No.  
 14 Q Do you know whether Giselle in October 2013  
 15 told the Medlin Treatment Center that when she thought  
 16 about your father -- her father touching her, she felt  
 17 mad and she dreamed about it. Do you know whether  
 18 that happened?  
 19 A No.  
 20 Q Do you know whether Amanda -- did she get  
 21 remarried after the divorce?  
 22 A I don't know.  
 23 Q Okay. Do you know if she's married to  
 24 somebody else today?  
 25 A I don't know.

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1 Q You have no contact with her?  
 2 A No.  
 3 Q Do you know whether Amanda at one point had  
 4 a boyfriend named Ahmad, A-H-M-A-D?  
 5 A No.  
 6 Q Do you know whether Giselle told people at  
 7 the Medlin Treatment Center, Dr. Gifford and others,  
 8 that Ahmad, Amanda's boyfriend, doesn't do what my old  
 9 dad did. That would be you. Which Giselle said was  
 10 look at her private parts. Do you know whether  
 11 Giselle said that?  
 12 A No.  
 13 Q Have you ever filed bankruptcy?  
 14 A No.  
 15 Q Have you ever filed in any country --  
 16 A No.  
 17 Q -- the equivalent of bankruptcy that we have  
 18 here?  
 19 A No.  
 20 Q Have any of your creditors, people that you  
 21 owed money to, have they ever sued you to get the  
 22 money back?  
 23 A I don't know, no.  
 24 Q Not that you know of?  
 25 A (Witness shakes head.)